

MINUTES

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

Meeting held
June 21, 2007

INDIANA GOVERNMENT CENTER SOUTH
402 WEST WASHINGTON STREET, ROOM W064
INDIANAPOLIS, INDIANA

I. CALL TO ORDER

Mr. Snead called the meeting to order at 8:34 a.m. in 402 West Washington Street, Room W064, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-31.

Members Present:

Harold Snead, Chairman
John Sauer, Vice-Chairman
Kenneth Spaulding
Mark Downey
John Beery

Members Not Present:

Chris A. Gwaltney
Jim Erb

Staff Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Mary Kate Adams, Assistant Director, Indiana Professional Licensing Agency
Sylvia Grinstead, Case Manager, Indiana Professional Licensing Agency
Jim Schmidt, Legal Counsel, Office of the Attorney General

II. ADOPTION /AMENDMENTS TO THE MINUTES OF May 17, 2007

Board Action: A motion was made to accept the minutes.

Downey/Sauer
Motion carried: 5/0/0

III. REPORT REGARDING CONSUMER COMPLAINTS FROM THE OFFICE OF THE ATTORNEY GENERAL By Liaison for the Board

There was no report.

IV. CONTINUING EDUCATION

Discussion by the Board

Beth Bauer and Martin Wessler from ACEC (American Council of Engineering Companies) appeared before the board to comment on the C.E. rules. They support continuing professional competency via continued education and feel that 2 hours of a mandatory topic is helpful.

Board Action: a motion was made for staff to file the NOI.

Beery/Sauer
Motion carried 5/0/0

V. PERSONAL APPEARANCES

A. Owen D. Schipplein

Mr. Schipplein appeared before the board to discuss his eligibility for licensure. He does have a license in Wisconsin and was hoping to receive a license based upon that and his recommendations. There are no issues on education and experience, only about his exams. The core issue here is the lack of the P.E., although Wisconsin registered him without having taken that exam. The board does not have authority to waive that requirement, however they can permit him to register for the PE and take it now.

Board Action: A motion was made to grant Mr. Schipplein admission to the P.E. exam.

Sauer/Downey
Motion carried 5/0/0

B. Clifton W. Greim

Mr. Greim requested a continuance and thus did not appear before the board.

VI. PETITIONS FOR REVIEW

None.

VII. ADMINISTRATIVE HEARINGS

A. In the Matter of Mark J. Sweeney

Administrative Cause No.: SBRPE 07-08

Re: Denial of Registration as a Professional Engineer

Parties and Counsel Present:

The State was not present.

Respondent was present without counsel.

Participating Board Members:

Harold Snead, Hearing Officer

Mark Downey

John Sauer

Kenneth Spaulding

John Beery

Witnesses:

Mark J. Sweeney

Case Summary: He gave his academic history and presented his position that his degree is from an ABET accredited program. He also provided additional information pertaining to his course work.

Petitioner's Exhibit A: A binder with information pertaining to his qualifications.

Board Action: A motion was made to grant Mr. Sweeney registration by comity.

Beery/Sauer
Motion carried 5/0/0

B. In the Matter of David Nathan Hyde

Administrative Cause No.: SBRPE 07-06

Re: Denial of Release of Exam Scores and Prohibition against the Retake of Exam

Parties and Counsel Present:

The State was not present.
Respondent was not present.

Participating Board Members:

Harold Snead, Hearing Officer
Mark Downey
John Sauer
Kenneth Spaulding
John Beery

Witnesses:

None

Case Summary: Mr. Hyde's score report of his F.E. was not released by order of the board. This determination was made after a personal appearance and admission to cheating on the exam. In addition, the board ruled that he will not be able to sit for the exam again, until he is eligible to sit for the P.E.

Board Action: A motion was made to issue a Notice of Proposed Dismissal.

Spaulding/Sauer
Motion carried 5/0/0

VIII. CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS

A. In the Matter of Brian S. Cross

Administrative Cause No.: SBRPE 07-04

In order to allow sufficient time for the office to receive any possible objection to the ALJ order, this matter was tabled until next month.

IX. DISCUSSION ITEMS

a. Code Cites IC 25-31-1

Re: Requirements for licensure/Sequencing and Comity Applications

Jim looked at past ALJ orders and excluded those that were approved in the end, only looking at those who were denied.

The board wants to stay away from co-ops and basically take care of the WI situation. When the exam was taken will no longer have relevance. Several board members see IC 25-31-1-12 as meaning that as long as they have 4 years of work experience after graduation then they are qualified, the experience does not have to be earned prior to sitting for the exam. We may need to adjust the statute to make the board's wishes come true.

They do not want to open up their statute. How far can they go in interpreting the statute with comity applicants? JS and ASJ bring it back in July and then move as far as we can with that sentiment under the rules.

b. NCEES

Re: April 2007 Irregularity Report

Board Action: call both applicants in for a personal appearance.

Beery/Spaulding

Motion carried 5/0/0

- c. Michael Roach
Re: Request to Sit for the SII Exam

Staff is to write him back requesting clarification as to why he wants to take the Structural Exam. He must be informed that he cannot get certified as an SE in Indiana if he takes it and passes.

- d. Eric Tompos
Re: Request to Sit for the Civil Exam

There is only one certification in Indiana, he does not need to sit for a civil engineering exam.

- e. The board discussed Klockow and the status of his Probation and reports.

X. CORRESPONDENCE

- A. ACEC
Re: Letter in Support of CE Rules

They appeared earlier.

- B. NCEES
Re: Efficiency Study

Just an FYI for the board, no action was taken.

XI. PERMIT/LICENSURE APPLICATIONS

Board Action: A motion was made and seconded to approve all recommendations and decisions made by the Board members on applications for licensure that were reviewed throughout the Board meeting.

Snead/Spaulding
Motion carried 4/0/0

XII. BOARD DIRECTOR'S REPORT

None.

XIII. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the State Board of Registration for Professional Engineers adjourned at 2:45 p.m.



Harold Snead – Chairperson
State Board of Registration for Professional Engineers

19 Jul 2007
Date

PROFESSIONAL ENGINEER
BOARD MEETING
June 21, 2007

EIT APPLICANTS APPROVE

APPLICANT	APPROVED	TABLED	DENIED
		/	/
Millen, David W.	✓	/	/
		/	/

PE EXAM APPLICANTS DENIED OR QUESTIONABLE

APPLICANT	APPROVED	TABLED	DENIED
Smith, Karla	✓	/	/
		/	/
		/	/
		/	/

PE APPLICANTS COMITY APPROVE

APPLICANT	APPROVED	TABLED	DENIED
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PE APPLICANTS EXAM OR COMITY DENIED OR QUESTIONABLE

Pickett, Dennis (Prev Tab)	✓	/	/
Patel, Bakulesh (Prev Tab)	✓	/	/
Zuniga, Edgardo (Prev Tab)	✓	/	/
Decker, Allen (Prev.Tab)			
Burke, Thomas	✓	/	/
Bishop, Michael	✓	/	/
Hunt, Bruce		/	/
Longnaker, John C.	✓	/	/
Patel, Vinodkumar R.		/	/
Adhikari, Ranajoy		/	/
Burke, Christohper	✓	/	/
Baggett, Bryan	✓	/	/
Brickey, Jeremy L.		/	/

